

FILED BY *OK* IN THE UNITED STATES DISTRICT COURT FILED BY *Cas* D.C.
 FOR THE WESTERN DISTRICT OF TENNESSEE
 05 AUG 30 AM 6:55 WESTERN DIVISION 2005 AUG 29 PM 1:17

THOMAS M. GOULD
 CLERK, U.S. DISTRICT COURT
 W.D. OF TN, MEMPHIS
 Plaintiff,

THOMAS M. GOULD
 CLERK, U.S. DISTRICT COURT
 W.D. OF TN, MEMPHIS

vs.

DARRYL RUDD,

Defendant.

MOTION GRANTED

No. 04-CR-20458-M1

Jon Phipps McCalla
 JON PHIPPS McCALLA
 U.S. DISTRICT JUDGE

Aug 29 2005
 DATE
 MOTION TO RESET SURRENDER DATE

Comes now the defendant, Darryl Rudd, having been sentenced in the above case to the custody of the Bureau of Prisons, having previously been granted leave of Court to report to his designated facility and respectfully requests this Court to reset his surrender date in this case. Movant would show unto the Court that he is due to surrender to the Federal Bureau of Prisons at Taft CI, Taft, California by 2:00 o'clock p.m. on Wednesday, August 31, 2005. Movant would further show unto the Court, that his younger brother, Derrick Rudd, was killed the morning of August 29, 2005 in an automobile accident. Darryl Rudd respectfully requests the opportunity to post-pone his surrender date, primarily to attend Derrick's funeral. Further, Mr. Darryl Rudd also has some final arrangements concerning his business and private life that need further attention and that is the reason for the 30 day request.


Counsel for Mr. Rudd has conferred with the Assistant U.S.

Attorney prosecuting this case and has been advised that there is no objection to this request.

WHEREFORE, PREMISES CONSIDERED, movant respectfully prays:

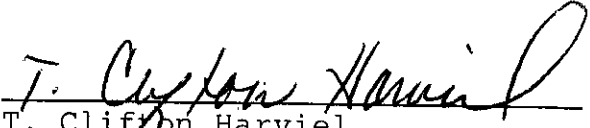
1. That this Honorable Court extend Mr. Rudd's surrender date 30 days; and/or
2. That this Court grant such other relief herein as truth dictates and justice demands.

Respectfully submitted,


T. Clifton Harviel (5589)
Attorney for Defendant
Suite 850
50 N. Front Street
Memphis, Tennessee 38103
(901) 543-9799

Certificate of Service

I hereby certify that I have served a copy of the foregoing upon Mr. Carroll L. Andre, Assistant United States Attorney, 167 N. Main Street, 8th Floor, Memphis, Tennessee 38103, this 29th day of August, 2005.


T. Clifton Harviel



Notice of Distribution

This notice confirms a copy of the document docketed as number 27 in case 2:04-CR-20458 was distributed by fax, mail, or direct printing on August 30, 2005 to the parties listed.

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Honorable Jon McCalla
US DISTRICT COURT